

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

DIVISION: 6
HON. WARREN R. DARROW
CASE NO. P1300CR20081339

JEANNE HICKS, CLERK
By: Lilly Miller, Deputy Clerk
DATE: August 12, 2010

FILED
DATE: August 12, 2010
5:00 O'Clock P.M.
JEANNE HICKS, CLERK
BY: Lilly Miller
Deputy

TITLE:

COUNSEL:

STATE OF ARIZONA,

Yavapai County Attorney (e)
Joseph Butner / Jeffrey Paupore
(For Plaintiff)

Plaintiff,

vs.

STEVEN CARROLL DEMOCKER,

John Sears (e)
and
Larry Hammond / Anne Chapman
OSBORN MALEDON, P.A.
2929 North Central Avenue, 21st Floor
Phoenix, AZ 85012
(For Defendant)

Defendant.

HEARING ON:

NATURE OF PROCEEDINGS

COURT REPORTER

Jury Trial – Day 35

Mina Hunt

START TIME: 9:29 a.m.

APPEARANCES: Joseph Butner, Co-Counsel for the State
Jeffrey Paupore, Co-Counsel for the State
Steven DeMocker, Defendant (in custody)
John Sears, Co-Counsel for Defendant
Larry Hammond, Co-Counsel for Defendant
Anne Chapman, Co-Counsel for Defendant

At 9:29 a.m., Court reconvenes in the Division 6 Courtroom with Counsel Butner, Counsel Sears, Counsel Chapman, the Defendant, and the jury present. Counsel Paupore and Counsel Hammond are not present.

Detective James Jarrell, previously sworn, resumes testimony.

Counsel Butner offers Exhibit 288. Counsel Sears objects. The objection is overruled and Exhibit 288 is admitted for the purpose of indicia only at this time.

Counsel Butner offers Exhibit 294. Counsel Sears objects. The objection is sustained and Exhibit 294 is not admitted at this time.

Counsel Butner moves for the admission of Exhibit 291. Counsel Sears objects. The objection is overruled and Exhibit 291 is admitted.

Counsel Butner moves for the admission of Exhibit 293. Counsel Sears examines the witness on *voir dire* and objects to the admission of Exhibit 293. The objection is sustained and Exhibit 293 is not admitted.

Counsel Butner moves for the admission of Exhibits 988, 979, 984, 985, 986, 981. Counsel Sears questions the witness on *voir dire* and has no objection to those exhibits. Exhibits 988, 979, 984, 985, 986, 981 are admitted into evidence.

Counsel Butner offers Exhibit 2801. There being no objection, Exhibit 2801 is admitted into evidence.

The Court notes that this is the time for the morning recess. The Court reminds the jury of the admonition and the witness is advised of the requirements of the Rule Excluding Witnesses.

~~~~~ Recess 10:19 a.m. ~~~~~

At 10:47 a.m., Court reconvenes with Defendant, the jury, and Counsel previously announced, with the addition of Counsel Hammond. The Court discusses a question it had received regarding the presentation of Exhibits.

Detective Jarrell, previously sworn, resumes testimony.

Counsel Butner again offers Exhibit 294. Counsel Sears objects. Exhibit 294 is conditionally admitted; however, it will not be displayed to the jury.

Counsel Butner again offers Exhibit 293. Counsel Sears objects. Exhibit 293 is admitted conditionally as to the passport only, but it is not to be displayed to the jury.

The Court notes, this is the time for the lunch recess. The Court reminds the jury of the admonition and directs them to return at 1:15 p.m.

~~~~~ 11:56 a.m. ~~~~~

At 1:22 p.m., Court reconvenes with Defendant, the jury, and Counsel previously announced.

Detective Jarrell, previously sworn, resumes testimony.

Court and Counsel meet at sidebar, off the record, outside the presence of the jury.

Exhibits 2903, 2904, and 2905 are admitted into evidence without objection.

Exhibits 2907 and 2908 are admitted into evidence without objection

Counsel Butner moves for the admission of Exhibit 2906. Counsel Sears objects. The objection is overruled, and Exhibit 2906 is admitted into evidence.

Counsel Butner moves for the admission of Exhibit 2900. Counsel Sears objects. Exhibit 2900 is conditionally admitted at this time, but it shall not be published to the jury.

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Counsel Butner moves for the admission of Exhibit 2901. Counsel Sears objects. The objection is sustained and Exhibit 2901 is not admitted. Counsel Butner elicits further testimony from the witness and again offers Exhibit 2901. Counsel Sears objects. The objection is sustained and Exhibit 2901 is not admitted at this time.

The Court invites questions from the jury for this witness.

The Court notes, this is the time for the afternoon recess. The Court excuses the jury and the witness for the recess.

At 2:20 p.m., the jury and witness exit the Courtroom. Court, Counsel, and the Defendant remain.

Court and Counsel discuss the questions submitted by the jury.

~~~~~ 2:42 p.m. ~~~~~

At 2:59 p.m., Court reconvenes with Defendant, the jury, and Counsel previously announced. Detective Jarrell, previously sworn, resumes the witness stand.

The Court discusses some of the questions received from the jury that were directed to the Court. The Court advises the jury of the answers to those questions.

The Court relays the jury questions to the witness and the witness testifies further.

Court and Counsel meet at sidebar, off the record, outside the presence of the jury.

The witness continues to testify.

The Court reminds the witness of the Rule Excluding Witnesses and excuses him, but advises him that he is subject to recall.

Detective Ross Diskin is sworn and testifies.

Exhibits 2909, 2910, 2911 are admitted into evidence without objection.

The Court invites questions from the jury for this witness.

The Court advises that this is the time for another recess. The Court excuses the witness and the jury for the recess.

At 4:15 p.m., the jury and the witness exit the Courtroom. Court, Counsel, and the Defendant remain.

Court and Counsel discuss the jury questions submitted.

~~~~~ 4:21 p.m. ~~~~~

At 4:40 p.m., Court reconvenes with the Defendant, the jury, and Counsel previously announced present. Detective Diskin, previously sworn, resumes the witness stand.

The Court relays the jury questions to the witness and the witness testifies further.

The witness is reminded of the requirements of the Rule Excluding Witnesses and is excused.

The Court notes, this is the time for the evening recess. The Court advises the jury that it will recess the trial tomorrow afternoon at 4:00 p.m.

END TIME: 4:44 p.m.

cc: Division 6
County Attorney (e)
John Sears (e)
Osborn Maledon, P.A.
Victim Services (e)
YCSO – Detention / Records (e)
Dean Trebesch (Contract Administrator, PD) (e)
Christopher DuPont, Trautman DuPont PLC, 1726 North Seventh St., Phoenix, AZ 85006, Counsel for Victims
Charlotte and Katherine DeMocker
John Napper (e) – Counsel for Renee Girard, witness